

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SPIRE GLOBAL, INC.,

Plaintiff,

v.

KPLER HOLDING SA,

Defendant.

No. 1:25-cv-00168-GBW

KPLER HOLDING SA'S MOTION FOR RECONSIDERATION

Kpler Holding SA (“Kpler”) respectfully requests that the Court reconsider its order scheduling a one-day bench trial on March 4, 2025. D.I. 34. “The purpose of a motion for reconsideration is to correct manifest errors of law or fact or to present newly discovered evidence.” *Harsco Corp. v. Zlotnicki*, 779 F.2d 906, 909 (3d Cir. 1985). Reconsideration is appropriate where “the court has patently misunderstood a party ... or made an error not of reasoning but of apprehension.” *United States v. Lopez*, No. CR 10-67 (GMS), 2014 WL 7149187, at *2 (D. Del. Dec. 15, 2014) (quotation omitted); *see also Schering Corp. v. Amgen, Inc.*, 25 F. Supp. 2d 293, 295 (D. Del. 1998).

Spire Global, Inc. (“Spire”) filed this action in the Court of Chancery on February 10, 2025, and Kpler removed it to this Court the next day. The case involves a complex \$241 million corporate transaction, and Spire seeks an order of specific performance that would require Kpler to close the transaction. On February 18, 2025, Spire moved to expedite this action, requesting “a one-day trial to commence the week of March 24, 2025.” D.I. 24 at 1. In Spire’s Application for Oral Argument filed today, Spire noted that Kpler had proposed “to respond to the pending motion [for expedited proceedings] no later than February 25,” and requested that the Court hold

oral argument on that motion on February 26 or February 28. D.I. 33. At no point prior to the Court's order had Spire requested that the Court set a trial as early as March 4, nor that the Court rule on Spire's Motion for Expedited Proceedings without giving Kpler an opportunity to respond. The case is also at the earliest procedural stage. Kpler has not been served (despite indicating that it would waive), and no discovery has been requested or provided.

The Court today scheduled a one-day bench trial to commence on March 4, 2025, 12 days from now. D.I. 34. According to the calendar on the District Court's website, the trial is to start at 11 a.m. on that day.¹ The Court scheduled this trial before Kpler had an opportunity to respond to Spire's Motion for Expedited Proceedings. Because that motion does not include essential context showing why expedition as requested by Spire is not merited, including the pendency of a foreign antitrust investigation of the transaction, Kpler respectfully requests that the Court vacate the trial date to allow for consideration of Kpler's Answering Brief in Opposition to Plaintiff's Motion for Expedited Proceedings, attached hereto as Exhibit A, as well as the supporting Declaration from Kpler's antitrust counsel attached hereto as Exhibit B.

OF COUNSEL:

WACHTELL, LIPTON, ROSEN & KATZ
 Graham W. Meli (*pro hac vice*)
 Joseph S. Tobin (*pro hac vice*)
 Todd S. Gilman (*pro hac vice*)
 51 West 52 Street
 New York, NY 10019
 (212) 403-1000
 gwmeli@wlrk.com
 jstobin@wlrk.com
 tsgilman@wlrk.com

RICHARDS, LAYTON & FINGER, P.A.

/s/ Rudolf Koch
 Rudolf Koch (#4947)
 Jason J. Rawnsley (#5379)
 Matthew D. Perri (#6066)
 920 North King Street
 Wilmington, Delaware 19801
 (302) 651-7700
 koch@rlf.com
 rawnsley@rlf.com
 perri@rlf.com

Attorneys for Defendant Kpler Holding SA

¹ <https://www.ded.uscourts.gov/hearing-calendar-judge>.

COOLEY LLP

Sarah Lightdale (*pro hac vice*)
Philip Bowman (*pro hac vice*)
Kaitland Kennelly (*pro hac vice*)
55 Hudson Yards
New York, New York 10001
(212) 479-6000
slightdale@cooley.com
pbowman@cooley.com
kkennelly@cooley.com

Dated: February 20, 2025